Case 15-12456 Doc 93 Filed 01/19/19 Entered 01/20/19 00:41/56 Desc Imaged

Certificate of Notice Page 1 of 4

Dated: January 17, 2019
The following is SO ORDERED:

Jimmy L. Croom

UNITED STATES BANKRUPTCY JUDGE

# UNITED STATES BANKRUPTCY COURT WESTERN DISTRICT OF TENNESSEE, EASTERN DIVISION

IN RE: Donald R. East Sr. & Shelia M. East CHAPTER 13

Debtors Case No.: 15-12456

# ORDER ON MOTION TO EMPLOY ATTORNEY FOR REPRESENTATION IN THE SUPERIOR COURT FOR COBB COUNTY, GEORGIA REGARDING A CIVIL CAUSE OF ACTION CASE

This cause came to be heard before the Honorable James Croom, United States Bankruptcy Judge, after notice, on Shelia M. East's motion to approve employment of Attorney Justin J. Wyatt of Justin J. Wyatt & Associates to assist in prosecution of a non-bankruptcy civil cause of action belonging to the Debtors. There being no objection, and after consideration of the circumstances, the Court is of the opinion the relief should be granted under the following terms and conditions.

1. It is therefore Ordered the Debtor is permitted to retain Justin J. Wyatt, attorney duly licensed to practice law in the State of Georgia to represent the Debtors' interests in a non-bankruptcy civil action filed or to be filed, if necessary, in the SUPERIOR COURT FOR COBB

Case 15-12456 Doc 93 Filed 01/19/19 Entered 01/20/19 00:41:56 Desc Imaged Certificate of Notice Page 2 of 4

COUNTY, GEORGIA.

2. The stay of 11 USC 362 is modified to permit such litigation to proceed, including the filing

of any counter- claims or cross- claims against the Debtor(s); however, no judgement

rendered against the Debtor(s) may be enforced without further application to and orders

from this Court. Any and all proceeds from this cause of action in favor of the Debtor(s) shall

be property of the estate, subject to any exemptions to which the Debtor(s) might be entitled

and which are specifically claimed, with notice to the Chapter 13 Trustee, following

termination of the civil action.

3. Fees and expenses incurred by the attorney representing the Debtor(s) in the non-bankruptcy

civil litigation may be paid without further order from this court only if such fees and

expenses are specifically approved by the Court hearing the action and such order is attached

as an exhibit. Otherwise, fees and expenses for the attorney in civil litigation shall be

reviewed by the Court in the motion for approval of the proposed settlement and may not be

paid without approval of this Court.

4. From the net proceeds of any recovery in the non-bankruptcy civil action, notwithstanding

any claimed exemptions, there shall be paid to the Chapter 13 Trustee, sufficient funds to

bring disbursements under Debtor(s) plan current. The balance may be disbursed to the

Debtor(s) as approved by the Chapter 13 Trustee, or as provided by any separate order of this

Court.

Prepared by:

# Case 15-12456 Doc 93 Filed 01/19/19 Entered 01/20/19 00:41:56 Desc Imaged Certificate of Notice Page 3 of 4

	/s/Richard H.	Walker	
--	---------------	--------	--

\*Richard H. Walker, Attorney for Debtor 108 W. Court St. Dyersburg, TN 38024 Phone (731) 285-8165 B.P.R. #14166

#### Approved by:

/s/ Justin J. Wyatt

Justin J. Wyatt Attorney for debtor BPR 779110 Justin J. Wyatt & Associates in non bankruptcy matter 367 Atlanta St. Marietta, GA 30060 770-422-2221 770-218-5525 fax /s/ Timothy H. Ivy

Timothy H. Ivy, Chapter 13 Trustee PO Box 1313 Jackson, TN 38302

## Certificate of Service

The Agreed Order To Employ An Attorney By Debtor will be mailed to the following.

Debtor, Debtor's Attorney, Chapter 13 Trustee, US Trustee, Attorney for Debtor in non bankruptcy case: Justin J. Wyatt, 367 Atlanta St., Marietta, GA 30060

/s/ Richard H. Walker

### Case 15-12456 Doc 93 Filed 01/19/19 Entered 01/20/19 00:41:56 Desc Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court Western District of Tennessee

In re: Donald R. East, Sr. Shelia M. East Debtors

Case No. 15-12456-jlc Chapter 13

#### CERTIFICATE OF NOTICE

District/off: 0651-1 User: valeta Page 1 of 1 Date Rcvd: Jan 17, 2019

Form ID: pdford02 Total Noticed: 3

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 19, 2019.

+Donald R. East, Sr., 3282 McEver Park Circle, Acworth, GA 30101-6644 +Shelia M. East, 96 Frankie Drive Apt A, Dyersburg, TN 38024-7662 +Justin J. Wyatt db jdb

33031763 +Justin J. Wyatt, 367 Atlanta St., Marietta, GA 30060-2258

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center. TOTAL: 0 NONE.

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 19, 2019 Signature: /s/Joseph Speetjens

#### CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 17, 2019 at the address(es) listed below:

Richard H. Walker on behalf of Joint Debtor Shelia M. East ecf@walkerlawtn.com,

tammie@walkerlawtn.com;tammy@walker-law.biz;leslie@walkerlawtn.com;candy@walkerlawtn.com;tammy@wa

lkerlawtn.com;millie@walkerlawtn.com

Richard H. Walker on behalf of Debtor Donald R. East, Sr. ecf@walkerlawtn.com, tammie@walkerlawtn.com;tammy@walker-law.biz;leslie@walkerlawtn.com;candy@walkerlawtn.com;tammy@wa

lkerlawtn.com;millie@walkerlawtn.com

Timothy H. Ivy ecf\_summ@chl3jax.com
Travis Menk on behalf of Creditor

CitiMortgage, Inc. travis.menk@brockandscott.com,

tnbkr@brockandscott.com,wbecf@brockandscott.com

U.S. Trustee ustpregion08.me.ecf@usdoj.gov Victoria A. Ferraro on behalf of Creditor

Santander Consumer USA Inc. ecfwest@pqflegal.com TOTAL: 6